



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 61
Commerce #: 53597-1126-08-A
BRRTS #: 03-13-002565
Site Name: Kwik Trip #832
Site Address: 208 E Main St, Waunakee, 53597
Site Manager: Wendell Wojner
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3297
e-mail: wendell.wojner@wisconsin.gov
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: ralph.smith@wisconsin.gov

Bid-Start Date:	June 22, 2009
Questions must be received by (See Section 2 (B)):	July 6, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 24, 2009
Bid-End Date and Time:	August 7, 2009, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing, 131 W. Wilson Street, Madison, WI 53703

Phone: (608) 257-8900

Fax: (608) 257-8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is currently a retail gas and convenience store. In March 1995, soil and groundwater contamination was identified in proximity to the underground storage tank (UST) basin and dispenser islands located on the property during a site assessment. In 1995, the UST system was upgraded, including new piping and dispenser units. A limited amount of petroleum-contaminated soil was removed from the UST excavation area (60.5 tons). Petroleum contamination remained in the UST area and beneath the dispenser islands.

Two 12,000-gallon underground storage tanks (USTs) containing unleaded gasoline are located at the property.

Initial site investigations conducted to evaluate the extent of soil and groundwater contamination have included the advancement of nine hydraulic soil borings to depths of 17-22 feet below ground surface (bgs). The stratigraphy of the site consists of clayey silt from 4-7 ft bgs, underlain by silty, fine to medium-grained sand with some gravel. Groundwater flow has been measured in multiple directions, primarily to the south and secondarily to the north. Depth to groundwater varies from 12-18 feet bgs. A total of nine groundwater monitoring wells and four piezometers have been installed to determine the horizontal and vertical extent of groundwater contamination. Free product has been observed in MW1, MW2 and PZ1. Absorbent socks were used to capture the product. Free product has not been observed at the site since April 2007. Significant petroleum contamination has been identified at depth in the groundwater aquifer. The piezometers PZ-2, PZ-4 and PZ-6 are screened at similar intervals of 53-58 feet bgs and 50-55 feet bgs. Piezometers PZ-1, PZ-3 and PZ-5 are screened at 31-36 feet bgs and 33-38 feet bgs. There is a downward vertical gradient.

There are no drums of waste on site.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

Documented expansion of the plume margin.

Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.

Minimum Remedial Requirements

1. A groundwater monitoring program shall be implemented to provide an update on the groundwater conditions for the site. A minimum of two sampling events only taken on a quarterly basis is required. Groundwater samples shall be collected from monitoring points MW-1, MW-2, MW-3, MW-4, MW-5, MW-6, MW-7, MW-8, MW-9, PZ-1, PZ-2, PZ-3, PZ-4, PZ-5, and PZ-6 for the analysis of petroleum volatile organic compounds (PVOCs) and Naphthalene. The natural attenuation indicator parameters shall be conducted on one of the sampling events. Remediation by Natural Attenuation parameters list is found on TABLE 3-1 of the Wisconsin Department of Natural Resources *Interim Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614, October, 1999.

2. Prepare a thorough and detailed Remedial Actions Options Report (RAOR) to address site remediation in accordance with ch. NR 722, Wisconsin Administrative Code. Site soils, geology and hydrogeology (i.e. perched water table), and the extent of free product complicate remedial options. All remedial action options alternatives must be thoroughly evaluated and sufficient detail must be included in the RAOR. Remedial action options evaluations must include the "Evaluation Criteria" in s. NR 722.07(4). The focus of the RAOR shall be remediation of the contaminant mass in the source area (historic free product at various depths). The assessment should be used to determine whether a remedial system could be used to effectively move the site towards a 'closure' decision.

With the historical file information, and because it is an active gas station, there has been a determination that site closure cannot be achieved by excavation of contamination material, followed by remediation by natural attenuation. Remedial alternatives evaluation should include but is not limited to soil vapor extraction, dual phase extraction, and active free product removal (if present). Include specific design specifications, equipment considerations, locations, depths, discharge and/or treatment specifications, operational details, locations, waste treatment/disposal quantities (e.g., gallons).

The assessment must provide an estimate of the total volume of free product, if encountered, remaining in the subsurface environment. The assessment must describe remedial actions historically taken at the site and apply those actions in the discussion for reviewing the range of alternatives for recovering or remediating significant petroleum contamination and free product. The discussion must summarize the technical feasibility and estimated cost for each remedial alternative relative to the site-specific conditions (hydrogeology, lithology, accessibility of significant contamination/free product and risk issues). Discuss specific design and technology limitations and provide a cost-benefit analysis to both departments for review.

3. A brief groundwater monitoring report (Quantity – Two), which will include updated groundwater monitoring tables, groundwater measurements, groundwater contour maps, groundwater contamination extent maps and cumulative free product check and removal documentation, is to be submitted within 45 days of the receipt of the laboratory data for each event (two events total). Water table elevations in US Geodetic datum shall be obtained for each sampling round and presented in tabular form. Groundwater flow maps shall be drawn using the data. The data shall be submitted in paper form, and in an Excel spreadsheet on computer media such as a cd or diskette.

4. Disposal of all investigative wastes shall be conducted to complete this work scope bid project.

5. Reporting per Comm 47.70 (Web Reports) is required.

Contingency Costs

- If free product is observed, removal of free phase product is required. The action(s) should commence as soon as possible and be continued to a reasonable extent in the affected monitoring wells. Per the LNAPL Guidance

Policy (see this document on both the DNR and Commerce websites), the actions shall be concurrent with groundwater monitoring sample events (two events only per this bid scope).

If free product is observed, the product thickness should be measured and recorded. Groundwater sampling from wells containing free product should be performed if the free product can be effectively removed. The analytical information from a 'groundwater' sample may be used to estimate volumes of contamination at the site.

Free product removal shall be conducted in a manner that minimizes the spread of contamination into previously uncontaminated zones using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site.

Any flammable products shall be handled in a safe and competent manner to prevent fires or explosions and properly reuses or treats discharges of recovered byproducts in compliance with applicable state and federal laws.

- If the RAOR determines that an active remediation system is required, and both departments concur, the winning bidder shall submit a costs estimate for a Pilot Test to be reviewed as a U&C Cost Schedule Variance Request by both agencies. A pre pilot study meeting with both agencies will be required prior to approval of costs for the pilot test. The costs estimate is to be provided later (after the meeting).
- While this is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope conducted under this bid. If upon completion of the work scope discussed above, closure is available and the WDNR project manager concurs, prepare and submit an updated closure report for closure consideration by the WDNR (and provide a copy to Commerce). The closure report must include the data results and documentation of the work activities completed in accordance with this bid. The closure request submittal for this site shall follow the updated closure request form as described on the DNR web page at www.dnr.state.wi.us/org/aw/rr. Bid responses will include a separate contingency cost to prepare and submit a complete closure report and GIS Registry packet (and all other closure related costs – excluding remedial system abandonment (if applicable) & well abandonment & waste disposal costs at this time), for closure consideration by the Department of Natural Resources, if closure can be realized.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional

reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 61

(1st Page)

Department of Commerce PECFA Program

Site Name: Kwik Trip #832

Commerce #: 53597-1126-08-A

BRRTS #: 03-13-002565

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 61**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Kwik Trip #832**Commerce #: 53597-1126-08-A****BRRTS #: 03-13-002565****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Groundwater monitoring per paragraph 1 of the bid document.	\$	
2	Remedial Actions Options Report (RAOR) per NR 722.07(4) and per paragraph 2 of the bid document.	\$	
3	Groundwater Monitoring Report (Qty – 2) per paragraph 3 of the bid document.	\$	
4	Waste disposal per paragraph 4 of the bid document.	\$	
5	Reporting per Comm 47.70 (Web Reports)	\$	
6	PECFA Claim Preparation	\$	
7	Total Bid Amount	\$	
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)			
•	Free product management per first bulletpoint contingency of the bid document.	\$	
•	Pilot Test cost estimate and Pre-Pilot Test Meeting for review as a Variance Request to the U&C Cost Schedule per the second bulletpoint of the contingency items in the bid document.	\$	Not required at this time.
•	Costs to Closure per the bid document in the third bulletpoint – & excludes remedial system abandonment (if applicable), well abandonment, waste disposal costs.	\$	